WPMS No. 571 of 2001

Hon'ble M.C Jain, J.

Heard learned counsel for the petitioner and learned Standing Counsel for the respondents no. 1 and 2. The petitioner claims to be duly elected committee of management of the educational institution in question, which was allegedly held by Assistant Registrar in compliance of order dated 9.8.2000 passed in writ petition no. 3465/2000 (Annexure 1). It is aggrieved by order dated 13.11.2000 (annexure 5 to writ petition) passed by the respondent no.1 staying his earlier order dated 10.11.2000 whereby the election was held to have properly taken place and direction had been made for handing over of the charge of management by Authorised Controller to the petitioner. It is argued that the respondent no.1 had no power to review or stay his earlier order dt. 10.11.2000. The argument is not tenable in fact, every authority is empowered to rectify the mistake committed by it -- date. It appears that the respondent no. 4 had filed certain objections against the election before the respondent no.1 and in the impugned order dated 13.11.2000, the respondent on. 1 observed that there was violation of the direction of the Court made in order dated 9.8.2000. The petitioner allegedly made a representation dated 10.12.00 to the Joint Director of Education (respondent no.2) which he forwarded to the respondent no.1 for expeditious disposal. The same is said to have not yet been decided. The writ petition is finally disposed of with the direction to the respondent no. 1 to decide the representation of the petitioner (Annexure 7 to the writ petition) by a speaking order within two months from the date of the production of the certified copy of this order. For the sake of facility, the petitioner may enclose a copy of his representation dated 10.12.2000 with the copy of this order.

Dt. 16.4.2001 (M.C. Jain, J.)

A.